

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PATENT
Attorney Docket No.: 02307O-079820US
Client Reference No.: 2000-493-1

On July 21, 2004

TOWNSEND and TOWNSEND and GREEN LLP

By: Stephanie J. Whitehurst

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ETZLER and ROBERTS

Application No.: 09/657,631

Filed: September 6, 2000

For: LNP, A PROTEIN INVOLVED IN
THE INITIATION OF MYCORRHIZAL
INFECTION IN PLANTS

Examiner: Baum, Stuart F.

Art Unit: 1638

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97 and
§1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed.

Also enclosed is a copy of the Search/Examination report corresponding to the European application.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

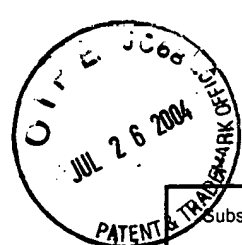
This Information Disclosure Statement is being filed before the mailing date of the final Office Action or Notice of Allowance.

Please charge the IDS fee of \$180 to Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

Kevin Bastian
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
KLB:mtd:sjw



INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	09/657,631	
			Filing Date	September 6, 2000	
			First Named Inventor	Etzler, Ph.D., Marilyn E.	
			Art Unit	1638	
			Examiner Name	Baum, Stuart F.	
Sheet	3	of	3	Attorney Docket Number	02307O-079820US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ Number ⁴ Kind Code ⁵ (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AA	BAUCHROWITZ, Martina A. et al.; "Lectin genes are expressed throughout root nodule development and during nitrogen-fixation in the <i>Rhizobium-Medicago</i> symbiosis"; 1996, <u>The Plant Journal</u> , Vol. 9, No. 1, pp. 31-43.	
	AB	DIAZ, Clara L. et al.; "Root lectin as a determinant of host-plant specificity in the <i>Rhizobium-legume</i> symbiosis"; 1989, <u>Nature</u> , Vol. 338, No. 6216, pp. 579-581.	
	AC	ETZLER, Marilyn E., et al.; "Do legume vegetative tissue lectins play roles in plant-microbial interactions?"; 1996, <u>Biology of Plant-Microbe Interactions</u> , APS Press, Vol. 1, pp. 105-110.	
	AD	HEIDSTRA, Renze et al.; "Nod factor-induced host responses and mechanisms of Nod factor perception"; 1996, <u>New Phytologist</u> , Vol. 133, No. 1, pp. 25-43.	
	AE	HERVE, C. et al.; "Characterization of an <i>Arabidopsis thaliana</i> gene that defines a new class of putative plant receptor kinases with an extracellular lectin-like domain"; 1996, <u>J. Mol. Biol.</u> , Vol. 258, No. 5, pp. 778-788.	
	AF	HSIEH, Hsu-Liang et al.; "Light-modulated abundance of an mRNA encoding a calmodulin-regulated, chromatin-associated NTPase in pea"; 1996, <u>Plant Molecular Biology</u> , Vol. 30, pp. 135-147.	
	AG	ROBERTS, Nicholas J. et al.; "Cloning and comparison of homologs to a cDNA encoding DB46, a nod factor binding lectin from <i>dolichos biflorus</i> "; 1997, <u>Plant Physiology</u> , Vol. 114, No. 3, page 288.	
	AH	SCHNELL, Danny J. et al.; "Primary structure of the <i>Dolichos biflorus</i> seed lectin"; 1987, <u>The Journal of Biological Chemistry</u> , Vol. 262, No. 15, pp. 7220-7225.	

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

**FEE TRANSMITTAL
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 180**Complete if Known**

Application Number 09/657,631

Filing Date September 6, 2000

First Named Inventor Etzler, Ph.D., Marilynn E.

Examiner Name Baum, Stuart F.

Art Unit 1638

Attorney Docket No. 023070-079820US

METHOD OF PAYMENT (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

			Extra Claims	Fee from below	Fee Paid
Total Claims	7	-20** =	0	X\$9	\$0
Independent Claims	1	-3** =	0	X\$43	\$0
Multiple Dependent			X		

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$0)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Fee Code	Large Fee (\$)	Small Fee Code	Small Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	180
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)**

(\$180)

SUBMITTED BY**Complete (if applicable)**

Name (Print/Type)

Kevin Eastian

Registration No. (Attorney/Agent)

34,774

Telephone

415-576-0200

Signature

Date

July 21, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.